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International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances
Tenth session

Summary record (partial)* of the 157th meeting
Held at the Palais des Nations, Geneva, on Monday, 7 March 2016, at 10 a.m.

Chair: Mr. Decaux

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10 a.m.

Opening of the session

1. **The Chair** declared open the tenth session of the Committee on Enforced Disappearances.

Statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Walker** (Chief, Civil, Political, Economic, Social and Cultural Rights Section, Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights) said that 2016 marked the tenth anniversary of the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance by the United Nations General Assembly in 2006. Its adoption had been the culmination of the long journey, and sometimes bitter struggle, that the families of disappeared persons and the international community had embarked on nearly 40 years previously. The Convention was an innovative, landmark treaty of fundamental importance to disappeared persons, their families and society as a whole, and it was a recognition of the suffering endured by thousands of persons around the world. The Convention clearly held contemporary value and was not concerned solely with tragic events of the past: it covered new forms of enforced disappearance, such as secret detention, and new perpetrators, such as non-State actors.

3. During the session, a round table would be held on contemporary challenges to the Convention's implementation, including those relating to the punishment of the crime of enforced disappearance, State accountability and the involvement of non-State actors, and the fulfilment of the rights of victims. Panellists would also discuss the need for coherence between the Convention and international human rights law, coordination between the Committee and other bodies and mechanisms and the Committee's collaboration with civil society.

4. In its most recent annual resolution on the Convention (resolution 70/160), the General Assembly had decided to devote one high-level plenary meeting at its seventy-first session to the commemoration of the Convention's tenth anniversary.

5. In the course of 2016, a conference of the States parties would be held in order to evaluate the functioning of the Committee, as prescribed in article 27 of the Convention. The ratification of the Convention by Italy on 8 October 2015 had brought the number of States parties to 51, and it was hoped that that number would increase in the near future.

Statement by the Chair

6. **The Chair** said that the tenth session would be especially important for three reasons. First and foremost, it was a working session with a very full agenda. To maintain the pace of the Committee's work, the follow-up given to its recommendations was of crucial value and replies to priority issues raised should be provided within 12 months. Although 24 States parties had already submitted their reports, a number of States parties whose reports had been due in December 2012 (including seven original signatories of the Convention) still had not submitted them. Such non-observance constituted a violation of article 29 of the Convention, risked undermining the effectiveness of the Committee and impeded the proper organization of its work. He urged all States parties concerned to respect that fundamental obligation within the time limits prescribed by the Convention. Similarly, States parties that had assumed obligations under articles 30 and 31 of the Convention needed to respond promptly to requests from the Committee in its efforts to elucidate the fate of missing persons.

7. A second important aspect of the tenth session would be the review of the implementation of General Assembly resolution 68/268, on strengthening and enhancing the effective functioning of the human rights treaty body system, in advance of the status report that the Secretary-General was to prepare in 2016. The Committee would also review the outcomes of the twenty-seventh meeting of Chairs of the human rights treaty bodies, in particular with regard to the harmonization of working methods; for instance, the consultation process for the elaboration of general comments had been codified at that meeting.

8. Contacts between the Committee and the Working Group on Enforced or Involuntary Disappearances had expanded. Increased coordination between the two bodies would lead to harmonization of their principles, bearing in mind their respective mandates, the particular legal constraints to which each was subject and the different contexts in which they operated.

9. In that connection, he was concerned at the diminishing ability of the Committee's human and financial resources to meet all of the Committee's needs and to provide for its various missions throughout the course of the year. The Committee could not stop conducting missions or exercising vigilance, because those activities formed part of its mandate. Under the Convention, the Secretary-General was responsible for making the necessary resources available to the Committee for its work. The Committee was doing its part to contain costs by not providing printed documentation at its sessions; the delay in the installation of a system to produce webcasts of its sessions was not only frustrating but it also undermined transparency and efforts to raise public awareness about the Committee's work.

10. The third point that he wished to highlight was that the year 2016 would see a gathering of minds not only at the technical level, in the form of the conference of the States parties, but also at the political level, in the form of the round table to be held in Geneva and the high-level plenary meeting to be held in New York.

11. He was gratified that the Committee would be joined on the occasion of the round table commemorating the tenth anniversary of the adoption of the Convention by both States parties and NGOs, such as the International Coalition against Enforced Disappearances, Amnesty International, the International Commission of Jurists and the International Federation of Human Rights. The support of NGOs was indispensable for reporting violations and informing the Committee of situations on the ground, and the Convention could not thrive without their commitment and participation. The Committee would also welcome as participants in the round table two of its main partners, the Chair of the Human Rights Committee and the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances. The round table would provide an opportunity to take stock of the implementation of the Convention and especially to formulate a joint strategy for the future.

Adoption of the agenda

12. *The provisional agenda (CED/C/10/1) was adopted.*

Minute of silence in remembrance of victims of enforced disappearance

13. *At the invitation of the Chair, the members of the Committee observed a minute of silence in remembrance of victims of enforced disappearance.*

The discussion covered in the summary record ended at 10.20 a.m.